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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,788	09/26/2005	Tomoyuki Okada	P31936-02	8335

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PANASONIC PATENT CENTER
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WASHINGTON, DC 20036

EXAMINER

ZHAO, DAQUAN

ART UNIT	PAPER NUMBER
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2621

NOTIFICATION DATE	DELIVERY MODE
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09/30/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/525,788	Applicant(s) OKADA ET AL.	
	Examiner DAQUAN ZHAO	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48,59 and 70-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 48,59 and 70-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/17/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/9/2009 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 48, 59, 70-75 have been considered but are moot in view of the new ground(s) of rejection due to reinterpretation of Yamauchi et al (US 5,771,334).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 48, 59 and 70-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi et al (US 5,771,334) and further in view of Lamkin et al (US 7,178,106 B2).

For claim 48, Yamauchi et al teach a recording medium having video data (e.g. figure 6), a plurality of programs (e.g. PGC information), and a table (e.g. figure 8, VTS management table) recorded thereon, wherein

One of the plurality of programs includes a command for branching, which instructs a playback device to perform branching based on a title number (e.g. column 15, lines 25-45, PGC number corresponds to the claimed "title number"),

the table comprises (a) combinations of program identification information and mode information (e.g. column 15, lines 25-45, figure 8, PGC number corresponds to the claimed "program identification information" and "...branches between the sets of PGC information recorded in the PGC management table" corresponds to the claimed "mode" information) and (b) title number corresponding to the combinations (e.g. column 15, lines 25-45, VTS internal title search pointer table, described in figure 14, within figure 8, is a table made up of title numbers, and pointers to sets of PGC information which corresponds to VTS title search pointers),

the program identification information instructs the playback device on a program to be executed for dynamic control, when branching to a title of a corresponding title number (e.g. column 15, lines 25-45), and

However, Yamauchi et al fail to teach the mode information shows whether the program to be executed is a program described in an object-oriented programming language. Lamkin et al teach the mode information shows whether the program to be executed is a program described in an object-oriented programming language (e.g. abstract, figure 10, column 17, lines 10-36, column 4, lines 40-59, "InterActual" mode

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allow system to playback online content, wherein the online content is Javascript file, a Java virtual machine has to be used to execute the Javascript file). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the play back mode of Lamkin et al into the table information of Yamauchi et al to integrate the success of optical with the speed and accessibility of the internet for improvements of entertainment, computing, and academic disks (e.g. Lamkin et al, column 2, lines 55-67).

For claim 71, Yamauchi et al teach a method of recording onto a recording medium, comprising the following steps:

creating application data by using an authoring device (e.g. figure 5b shows the Video Title Set created by the DVD recorder in figure 15 when the video data is recorded); and

recording the created application data on the recording medium(e.g. figure 5b shows the Video Title Set created by the DVD recorder in figure 15 when the video data is recorded), wherein

the application data includes video data e.g. figure 6), a plurality of programs (e.g. PGC information), and a table (e.g. figure 8, VTS management table).

one of the plurality of programs includes a command for branching, which instructs a playback device to perform branching based on a title number (e.g. column 15, lines 25-45, PGC number corresponds to the claimed "title number"),

the table comprises (a) combinations of program identification information and mode information (e.g. column 15, lines 25-45, figure 8, PGC number corresponds to

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the claimed "program identification information" and "...branches between the sets of PGC information recorded in the PGC management table" corresponds to the claimed "mode" information) and (b) title number corresponding to the combinations (e.g. column 15, lines 25-45, VTS internal title search pointer table, described in figure 14, within figure 8, is a table made up of title numbers, and pointers to sets of PGC information which corresponds to VTS title search pointers),

the program identification information instructs the playback device on a program to be executed for dynamic control, when branching to a title of a corresponding title number (e.g. column 15, lines 25-45), and

However, Yamauchi et al fail to teach the mode information shows whether the program to be executed is a program described in an object-oriented programming language. Lamkin et al teach the mode information shows whether the program to be executed is a program described in an object-oriented programming language (e.g. abstract, figure 10, column 17, lines 10-36, column 4, lines 40-59, "InterActual" mode allow system to playback online content, wherein the online content is Javascript file, a Java virtual machine has to be used to execute the Javascript file). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the play back mode of Lamkin et al into the table information of Yamauchi et al to integrate the success of optical with the speed and accessibility of the internet for improvements of entertainment, computing, and academic disks (e.g. Lamkin et al, column 2, lines 55-67).

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Claim 70 is rejected for the same reasons as discussed in claim 48 above, wherein Yamauchi et al also teach when a command for branching in the program is executed, the control step(i) decides a program to be activated by referring to program identification information corresponding to a title number included in the command for branching, and (ii) decides whether to cause a platform part of a virtual machine to execute the program to be activated, by refereeing to mode information corresponding to the title number included in the command for branching (e.g. column 15, lines 25-45, user instruction for branching can be carried out using the remote control, and the claimed platform part of the virtual machine corresponds to the DVD player of figure 17).

Claim 59 is rejected for the same reason as discussed in claim 70 above.

For claims 72-75, Lamkin et al teach the program described in the objected-oriented program language is a program described in a JavaTM Language (e.g. abstract, figure 10, column 17, lines 10-36, column 4, lines 40-59, HTML javascript), and Yamauchi et al teach the mode information shows whether the program to be executed for dynamic control is a program described in the Java language or a command based program (e.g. column 15, lines 25-45, the branching is a command based program since it can depend on user input).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daquan Zhao/
Examiner, Art Unit 2621

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621